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STEPHEN L. TITZER  
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4 LEWIS BRISBOIS BISGAARD & SMITH LLP  
6385 S. Rainbow Boulevard, Suite 600  
5 Las Vegas, Nevada 89118  
TEL.: 702.893.3383  
6 FAX: 702.893.3789  
Attorneys for Defendant  
7 VINCENT TJOTA

8  
9  
10 UNITED STATES DISTRICT COURT  
11 DISTRICT OF NEVADA

12 REBECCA LEMPERLE, individually,

CASE NO.: 2:18-cv-00202-JCM-DJA

13 Plaintiff,

14 vs.

15 VINCENT TJOTA, individually; DOES I-X,  
16 and ROE CORPORATIONS I-X, inclusive,

17 Defendants.

18 DEFENDANT'S MOTION TO CONTINUE TRIAL

19 COMES NOW, Defendant VINCENT TJOTA ("Defendant"), by and through his  
20 counsel, Josh Cole Aicklen, Esq. and Stephen L. Titzer, Esq. of LEWIS BRISBOIS  
21 BISGAARD & SMITH LLP, and moves this Court for a continuance of the trial date  
22 pursuant to Local Court Rule 45-2.

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1 This Motion is based upon the following Memorandum of Points and Authorities,  
2 the attached exhibits, the affidavit of counsel attached hereto, the papers and pleadings  
3 on file herein and any oral argument entertained at the time of hearing, if any.

4 DATED this 17 day of January, 2020.

5 Respectfully Submitted,

6 LEWIS BRISBOIS BISGAARD & SMITH LLP

7  
8 By /s/ Josh Cole Aicklen

9 JOSH COLE AICKLEN

10 Nevada Bar No. 007254

11 STEPHEN L. TITZER

12 Nevada Bar No. 008289

13 6385 S. Rainbow Boulevard, Suite 600

14 Las Vegas, Nevada 89118

15 Attorneys for Defendant

16 VINCENT TJOTA  
17  
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AFFIDAVIT OF STEPHEN L. TITZER, ESQ., IN SUPPORT OF DEFENDANT'S  
MOTION TO CONTINUE TRIAL

STATE OF NEVADA        }  
COUNTY OF CLARK       } ss.

STEPHEN L. TITZER, being first duly sworn, deposes and says:

1. I am a Partner at LEWIS BRISBOIS BISGAARD & SMITH LLP, and am duly licensed to practice law in the State of Nevada.

2. I am competent to testify to the matters set forth in this Affidavit, and will do so if called upon.

3. I am an attorney representing Defendant VINCENT TJOTA in the subject lawsuit currently pending in the United States District Court of Nevada, Case No. 2:18-cv-00202-JCM-DJA.

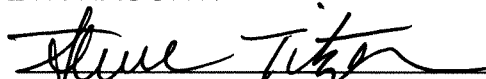
4. On January 15, 2020, I contacted Mike Kristoff, Esq. attorney for Plaintiff, and informed him that the Defendant Vincent Tjota lives in Singapore and cannot attend the present trial date. I requested that Plaintiff's counsel stipulate to continue the trial to December 2020. Plaintiff's counsel did not respond, thus necessitating the instant Motion.

5. This Motion is not filed for any improper purpose or to cause undue delay.

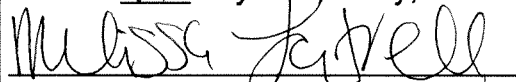
6. Attached hereto as Exhibit A is a true and correct copy of ECF No. 77, Order Granting Joint Pretrial Order.

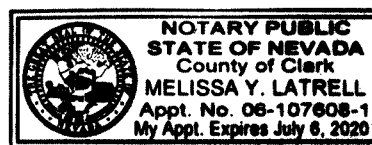
7. Attached hereto as Exhibit B is a true and correct copy of a Letter from Vincent Tjota to Defense Counsel Requesting a Continuance, dated January 8, 2020.

FURTHER YOUR AFFIANT SAYETH NAUGHT.

  
Stephen L. Titzer, Esq.

SWORN AND SUBSCRIBED to before me this 17 day of January, 2020.

  
Notary Public in and for said County and State



1 MEMORANDUM OF POINTS AND AUTHORITIES

2 I.

3 FACTUAL BACKGROUND

4 On Saturday, April 30, 2016, Defendant Vincent Tjota was visiting Las Vegas,  
5 Nevada and driving a Budget rental vehicle with Janice Siau, his fiancée, as a passenger.  
6 They live in Singapore. Vincent Tjota was driving a white 2016 Ford Mustang GT  
7 westbound on Bridger Avenue in Las Vegas, Nevada, while stopped at the intersection of  
8 Maryland Parkway. Plaintiff Rebecca Lemperle was driving a red 2015 Kia RIO LX  
9 vehicle southbound on Maryland. After stopping and looking both ways, Vincent Tjota  
10 proceeded to drive through the intersection, which was clear. At that time, Plaintiff drove  
11 through the intersection and struck Tjota's Mustang as she was likely speeding through  
12 the intersection. Plaintiff lived in Sweden.

13 Mr. Tjota disputes liability. Mr. Tjota stopped at the intersection and looked both  
14 ways before proceeding through the intersection. Mr. Tjota did not see the Plaintiff's car  
15 and did not have enough time to react to avoid the impact. Plaintiff struck the rear panel  
16 of Defendant's Mustang. Mr. Tjota disclosed the photographs from the scene of the  
17 accident that showed the damage to the right rear panel of his Mustang.

18 Presently, trial for this matter is scheduled to occur on June 15, 2020. See, ECF  
19 No. 77, attached hereto as Exhibit A. Recently, on January 8, 2020, Defense counsel  
20 received a letter from Mr. Tjota who expressed a desire for trial to be pushed back until  
21 December 2020 so he could be physically present at the time of trial. See,  
22 Correspondence from Vincent Tjota, attached hereto as Exhibit B. Mr. Tjota lives in  
23 Singapore and he will need to take off at least two weeks of work so he can travel to the  
24 United States and attend the trial. Id. Therefore, Defendant respectfully requests that  
25 this Court grant the Motion and continue trial until December 2020.

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II.

LEGAL ARGUMENT

A. Motions to Continue Standard and Argument

Pursuant to this Court's local rules,

LCR 45-2 Continuance of Trial Date - Speedy Trial Act

A request to continue a trial date, whether by motion or stipulation, will not be considered unless it sets forth in detail the reasons a continuance is necessary and the relevant statutory citations for excludable periods of delay, if any, under the Speedy Trial Act, 18 U.S.C. § 3161(h). The request must be accompanied by a proposed order that contained factual findings and relevant statutory citations, if any.

See, LCR 45-2.

District courts have the inherent power to control their respective dockets. See, Oliva v. Sullivan, 958 F.2d 272, 273 (9th Cir. 1992); Hamilton Copper & Steel Corp. v. Primary Steel, Inc., 898 F.2d 1428, 1429 (9th Cir. 1990).

The importance of physical presence at trial cannot be overlooked. The Federal Rule of Civil Procedure 43(a) provides in part:

Rule 43. Taking Testimony

(a) In Open Court. At trial, the witnesses' testimony must be taken in open court unless a federal statute, the Federal Rules of Evidence, these rules, or others adopted by the Supreme Court provide otherwise. For good cause in compelling circumstances and with appropriate safeguards, the court may permit testimony in open court by contemporaneous transmission from a different location.

See, FRCP 43(a).

The Notes of Advisory Committee on Rules also provided the following with respect to live testimony:

Contemporaneous transmission of testimony from a different location is permitted only on showing good cause in compelling circumstances. The importance of presenting live testimony in court cannot be forgotten. The very ceremony of trial and the presence of the factfinder may exert a powerful

As noted above, Mr. Tjota is not a United States Citizen and resides in Singapore. Mr. Tjota has expressed his desire to Defense counsel to be physically present at the time of trial, but unfortunately, is unable to do so until December 2020 due to work restrictions and the distance he must travel to be present at trial - typically a twenty-plus hour flight. Mr. Tjota deserves his day in court as does every party to a legal proceeding. Defense counsel believes that it would be manifestly unjust if Defendant is not able to be present to testify in front of the finders of fact. As such, Defense counsel finds it imperative that Mr. Tjota be physically present at the time of trial and therefore respectfully requests that this Court continue trial until December 2020.

## III.

## CONCLUSION

Defendant requests that this Court grant his Motion and continue this matter's current trial date to December of 2020 so he can be physically present at trial.

DATED this 17 day of January, 2020.

Respectfully Submitted,

LEWIS BRISBOIS BISGAARD & SMITH LLP

By /s/ Josh Cole Aicklen

JOSH COLE AICKLEN  
Nevada Bar No. 007254  
STEPHEN L. TITZER  
Nevada Bar No. 008289  
6385 S. Rainbow Boulevard, Suite 600  
Las Vegas, Nevada 89118  
Attorneys for Defendant  
VINCENT TJOTA

ORDER

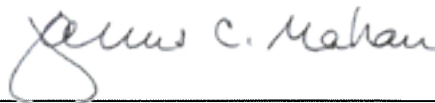
IT IS HEREBY ORDERED, ADJUDGED AND DECREED that Defendant's Motion to Continue Trial is GRANTED pursuant to Local Rule 45-2; and;

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the current trial date on June 15, 2020 is VACATED; and

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the new trial date shall commence on December 14, 2020, at 9:00 a.m. on a three-week stack.

"IT IS SO ORDERED." Calendar Call is December 9, 2020 at 9:00 a.m.

DATED January 24, 2020.



UNITED STATES DISTRICT JUDGE

Submitted By:

Dated 1/17/20

LEWIS BRISBOIS BISGAARD & SMITH  
LLP



Josh Cole Aicklen, Esq.

Stephen L. Titzer, Esq.

6385 S. Rainbow Boulevard, Suite 600

Las Vegas, NV 89118

Attorneys for Defendant VINCENT TJOTA

CERTIFICATE OF SERVICE

I hereby certify that on this 17 day of January, 2020, a true and correct copy of the foregoing DEFENDANT'S MOTION TO CONTINUE TRIAL was served via electronic service by the U.S. District Court CM/ECF system to the parties with an email-address on record, as follows:

Paul D. Powell, Esq.  
Michael A. Kristof, Esq.  
Johnathon C. Roberts, Esq.  
THE POWELL LAW FIRM  
8918 Spanish Ridge Avenue, Suite 100  
Las Vegas, NV 89148  
Telephone: 702-728-5500  
Fax: 702-728-5501  
[paul@tplf.com](mailto:paul@tplf.com)  
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[jroberts@tplf.com](mailto:jroberts@tplf.com)  
Attorneys for Plaintiff  
REBECCA LEMPERLE

By *Adrena Harris*  
An Employee of  
LEWIS BRISBOIS BISGAARD & SMITH LLP



Lemperle v. Tjota, Case No. 2:18-cv-00202-JCM-CWH

# EXHIBIT A

**ECF No. 77 – Joint Pretrial Order**

# EXHIBIT A

1 JOSH COLE AICKLEN  
Nevada Bar No. 007254  
2 [josh.aicklen@lewisbrisbois.com](mailto:josh.aicklen@lewisbrisbois.com)  
STEPHEN L. TITZER  
3 Nevada Bar No. 008289  
[stephen.titzer@lewisbrisbois.com](mailto:stephen.titzer@lewisbrisbois.com)  
4 LEWIS BRISBOIS BISGAARD & SMITH LLP  
6385 S. Rainbow Boulevard, Suite 600  
5 Las Vegas, Nevada 89118  
TEL.: 702.893.3383  
6 FAX: 702.893.3789  
Attorneys for Defendant  
7 VINCENT TJOTA

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9  
10 UNITED STATES DISTRICT COURT  
11 DISTRICT OF NEVADA

12 REBECCA LEMPERLE, individually,

CASE NO.: 2:18-cv-00202-JCM-DJA

13 Plaintiff,

14 vs.

15 VINCENT TJOTA, individually; DOES I-X,  
and ROE CORPORATIONS I-X, inclusive,

16 Defendants.  
17

18 JOINT PRETRIAL ORDER

19 COMES NOW Plaintiff, REBECCA LEMPERLE ("Plaintiff"), by and through her  
20 attorneys, Michael A. Kristof, Esq. of THE POWELL LAW FIRM; and Defendant  
21 VINCENT TJOTA ("Defendant"), by and through his attorneys, Josh Cole Aicklen, Esq.  
22 and Stephen L. Titzer, Esq. of LEWIS BRISBOIS BISGAARD & SMITH LLP; and submit  
23 the Joint Pretrial Order pursuant to LR 16-3 and LR 16-4.

24 Following pretrial proceedings in this case:

25 I. STATEMENT OF ACTION

26 A. Nature of Action

27 This is a case arising from a motor vehicle accident involving Plaintiff REBECCA  
28 LEMPERLE and Defendant VINCENT TJOTA. The accident occurred in Las Vegas,

1 Nevada, Clark County, on April 30, 2016. Plaintiff alleges that Defendant caused the  
2 accident. Defendant disputes liability and alleges Plaintiff caused the accident.

3 **B. Relief Sought**

4 Plaintiff seeks general damages, past and future medical specials, pain and  
5 suffering.

6 **C. Identification of the Parties**

7 This case was removed to Federal Court pursuant to 28 U.S.C. §§1441(a) and  
8 1446 based upon diversity jurisdiction.

9 During all relevant times, Plaintiff is a resident of Clark County, Nevada.

10 During all relevant times, Defendant VINCENT TJOTA is a foreign resident of the  
11 Country of Singapore.

12 Plaintiff made claims for medical special damages and pain and suffering, with the  
13 amount in controversy in excess of \$75,000.00.

14 **D. Contentions of the Parties**

15 **1. Plaintiff's Contentions**

16 Plaintiff contends that Defendant caused the accident and Plaintiff was injured.

17 **2. Defendant's Contentions**

18 Defendant contends that Plaintiff caused the accident, that the Plaintiff did not  
19 sustain personal injury as a result of the subject event, that Plaintiff's injuries were pre-  
20 existing, not causally related to the subject event and that the medical billings were not  
21 reasonable and necessary.

22 **II. STATEMENT OF JURISDICTION**

23 This Court has diversity jurisdiction over this matter pursuant to 28 U.S.C. §  
24 1332(A)(1), as the alleged value of the matter in controversy exceeds \$75,000.00, and  
25 the suit is between citizens of different states.

26 **III. ADMITTED FACTS**

27 The following facts are admitted by the parties and require no proof:

28 1. The subject motor vehicle accident occurred on April 30, 2016.

1 2. Plaintiff filed the Complaint.

2 3. Defendant filed an Answer.

3 **IV. UNCONTESTED FACTS**

4 The following facts, though not admitted, will not be contested at trial by evidence  
5 to the contrary: None.

6 **V. ISSUES OF FACT FOR TRIAL**

7 The following issues of fact are to be tried and determined upon trial:

8 1. Whether Defendant was negligent.

9 2. Whether Plaintiff was negligent.

10 3. Whether the subject incident proximately caused injuries and other  
11 damages to Plaintiff.

12 4. The amount of apportionment for any pre-existing condition or unrelated  
13 event and subsequent accident.

14 5. The monetary value of Plaintiff's injuries and damages, if any.

15 **VI. ISSUES OF LAW FOR TRIAL**

16 The following are issues of law are to be tried and determined upon trial:

17 1. Whether Defendant breached a duty of care to Plaintiff.

18 2. Whether Defendant caused the subject accident.

19 3. Whether Plaintiff breached a duty of care to Defendant.

20 4. Whether Plaintiff caused the subject accident and comparative fault.

21 2. Whether Plaintiff met her burden of proof, production and persuasion as to  
22 alleged injuries and amount of damages, and the issue of apportionment for any pre-  
23 existing conditions or the subsequent events for Plaintiff's claims in controversy.

24 **VII. EXHIBITS FOR TRIAL**

25 (a) The following exhibits are stipulated into evidence in this case and may be so  
26 marked by the clerk:

27 1. Plaintiff's Complaint.

28 2. Defendant's Answer.

1 (b) As to the following additional exhibits the parties have reached the  
2 stipulations stated:

3 None.

4 (1) Plaintiff's exhibits:

5 MEDICAL AND/OR BILLING RECORDS

- 6 1. Medical records and billing from Align Med for dates of service 5/2/16  
7 through 9/1/16;  
8 2. Medical records and billing from Med MRI Center for dates of service  
9 5/19/16 through 5/26/17;  
10 3. Medical records and billing from Interventional Pain and Spine Institute for  
11 dates of service 6/15/16 through 8/31/17;  
12 4. Medical records and billing from Surgical Arts Center for dates of service  
13 6/27/16 through 2/20/17;  
14 5. Medical records and billing from Anesthesiology Consultants for date of  
15 service 6/27/16;  
16 6. Medical records and billing from Western Regional Center for Brain and  
17 Spine Surgery for dates of service 8/4/16 through 6/6/17;  
18 7. Medical records and billing from Louis Mortillaro, Ph.D. for dates of service  
19 2/16/17 through 4/12/17;  
20 8. Medical records and billing from Spring Valley Hospital Medical Center for  
21 dates of service 3/12/17 through 4/24/17;  
22 9. Billing from Shadow Emergency Physicians, PLLC for dates of service  
23 3/14/17 through 4/24/17;  
24 10. Billing from Desert Radiologists for dates of service 3/14/17 through  
25 4/22/17;  
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- 1 11. Medical records and billing from Centennial Hills Hospital Medical Center
- 2 for dates of service 4/19/17 through 4/21/17;
- 3 12. Medical records and billing from Monitoring Associates for date of service
- 4 4/19/17;
- 5 13. Medical records and billing from Neuromonitoring Associates for date of
- 6 service 4/19/17;
- 7 14. Billing from Orthassist, LLC for date of service 4/19/17;
- 8 15. Medical records and billing from American Medical Response for date of
- 9 service 4/22/17;
- 10 16. Medical records and billing from Pueblo Medical Imaging for date of service
- 11 5/11/17;
- 12 17. Medical records and billing from Wellhealth Quality Care for date of service
- 13 4/26/17;
- 14 18. Medical records and billing from Jackson Physical Therapy for dates of
- 15 service 6/15/17 through 8/23/17;
- 16 19. Medical records and billing from Advanced Orthopedics and Sports
- 17 Medicine for dates of service 6/8/17 through 8/21/17;
- 18 20. Billing from Select Physical Therapy for date of service 6/19/17;
- 19 21. Medical records and billing from Southern Nevada Adult Mental Health
- 20 Services for dates of service 5/11/16 through 8/8/16;
- 21 22. Medical records and bills from Spring Valley Hospital for date of service
- 22 3/27/18;
- 23 23. Medical records and billing from Jackson Physical Therapy for dates of
- 24 service 2/8/18 through 4/6/18;
- 25 24. Patient forms from Align;
- 26
- 27
- 28

25. Patient forms from Western Regional Center for Brain and Spine Surgery;
26. Patient forms from Interventional Pain & Spine Institute;
27. Medical records and billing from Interventional Pain & Spine Institute for date of service 11/29/18;
28. Medical records and billing from Nevada Health Centers for dates of service 1/30/19 and 2/1/19;
29. Medical records and billing from Southwest Medical Associates for date of service 2/19/19;
30. Medical records and billing from Premier Physical Therapy & Sports Performance for dates of service 2/11/19 through 2/27/19;
31. Medical records and billing from Pueblo Medical Imaging for date of service 3/18/19;
32. Medical records and billing from Interventional Pain & Spine Institute for dates of service 1/30/19 and 2/21/19;
33. Medical records and billing from Select Physical Therapy for date of service 6/19/17;
34. Medical billing from Shadow Emergency Physicians for dates of service 8/11/16, 3/12/17 and 3/27/18; and
35. Medical records and billing from Spring Valley Hospital for date of service 8/11/16.

OTHER

1. Complaint;
2. State of Nevada Traffic Accident Report;
3. Google Maps Overview of Maryland Parkway and Bridger Avenue;

- 1 4. Google Maps street view of southbound Maryland Parkway at Bridger
- 2 Avenue;
- 3 5. Google Maps street view of westbound Bridger Avenue at Maryland
- 4 Parkway;
- 5 6. Property damage Estimate of Record and CCC One Market Evaluation
- 6 Report, from Geico Insurance;
- 7 7. Fifty-four (54) color photographs of Plaintiff's vehicle, from Geico Insurance;
- 8 8. Documents produced by Las Vegas Metropolitan Police Department
- 9 responsive to Subpoena Duces Tecum;
- 10 9. 911 audio file produced by Las Vegas Metropolitan Police Department
- 11 responsive to Subpoena Duces Tecum;
- 12 10. Pink journal entries written by Plaintiff;
- 13 11. Black journal entries written by Plaintiff;
- 14 12. Curriculum Vitae, fee schedule and prior testimony list of David Oliveri,
- 15 M.D.;
- 16 13. Curriculum Vitae, fee schedule and prior testimony list of Stan Smith, Ph.D.;
- 17 14. Curriculum Vitae and fee schedule of Ryan Kissling, D.C.;
- 18 15. Curriculum Vitae and fee schedule of Michael DiGregorio, M.D.;
- 19 16. Curriculum Vitae and fee schedule of Kristine Lukens, D.C.;
- 20 17. Curriculum Vitae and fee schedule of Keith Lewis, M.D.;
- 21 18. Curriculum Vitae, fee schedule and prior testimony list of Jorg Rosler, M.D.;
- 22 19. Curriculum Vitae, fee schedule and prior testimony list of Jason Garber,
- 23 M.D.;
- 24 20. Curriculum Vitae, fee schedule and prior testimony list of Nick Liu, M.D.;
- 25 21. Employment records from VegeNation;
- 26
- 27
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X-RAYS, FILMS AND DIAGNOSTIC STUDIES

Plaintiff is aware of the following x-rays, films and diagnostic studies:

1. Align Med MRI Center
2. Desert Radiologists
3. Pubelo Medical Imaging
4. Southwest Medical Associates

DEMONSTRATIVE EXHIBITS

Plaintiff may offer at trial certain exhibits for demonstrative purposes, including but not limited to, the following:

1. Power point images, blowups and transparencies for exhibits.
2. Models of various parts of the human body.
3. Diagrams, drawings, pictures, photos, film, video, DVD and CD ROM of various parts of the human body, diagnostic and surgical procedures.
4. Exemplars, models, or pictures of the surgical hardware/implantation devices used, or expected to be used in the care and treatment of Plaintiff.
5. Power point images, drawings, diagrams, animations, story boards of the incident, the location of the incident.
6. Power point images and blowups of deposition transcripts, discovery responses, and jury instructions.
7. Maps, diagrams or models of the scene of the incident that is the subject of this litigation.

**(2) Defendant's exhibits:**

- A. Plaintiff's Complaint.
- B. Defendant's Answer to Complaint.
- C. Redacted Traffic Accident Report, TAR-00001 - TAR-00006.

- 1 D. Color photographs, DEF-00001 - DEF-00020.
- 2 E. Color photographs, DEF00030 - DEF00046.
- 3 F. Visual Assessment Report and Salvage of Defendant's vehicle,
- 4 DEF00058 - DEF00059.
- 5 G. Plaintiff's Property Damage Records, DEF000323 - DEF000350.
- 6 H. GEICO's records for Plaintiff's vehicle, DEF000351 - DEF000436.
- 7 I. Pueblo Medical Imaging's billing records (Canyon), CMBL00001 - 02.
- 8 J. Select Physical Therapy's medical and billing records, SPT00001 - 09.
- 9 K. Align Med's medical and billing records, AM0001 - 159.
- 10 L. Interventional Pain and Spine Institute's medical and billing records,
- 11 IPAS00001 - 108.
- 12 M. Surgical Arts Center's medical records, SAC00001 - 79.
- 13 N. American Medical Response's medical and billing records, AMRI00001 - 17.
- 14 O. Orthassist, LLC's medical and billing records, OL0001 - 04.
- 15 P. Monitoring Associates' medical and billing records, MACT00001 - 11.
- 16 Q. Centennial Hills Hospital's medical records, CHHM00001 - 395.
- 17 R. Desert Radiologists' billing records, DRIB00001 - 03.
- 18 S. Louis Mortillaro, Ph.D.'s medical and billing records, LFMP00001 - 58.
- 19 T. Canyon Medical's Billing records re Jackson Physical Therapy, Bates-
- 20 stamped CMBL00001 - 06.
- 21 U. Southern Nevada Adult Mental Health Services' records, Bates-stamped
- 22 SNAM00001 - 25.
- 23 V. Desert Radiologists' medical records, Bates-stamped DRI00001 - 12.
- 24 W. Spring Valley Hospital Medical Center's Billing records, Bates-stamped
- 25 SVHM00001 - 15.
- 26 X. Western Regional Center for Brain and Spine Surgery's medical records,
- 27 Bates-stamped WRCF00001 - 117.
- 28 Y. CD's of films from Align Med, Bates-stamped ALIGN-CD-00001 and

- 1 ALIGN-CD-00002.
- 2 Z. Shadow Emergency Physician's medical and billing records, Bates-stamped
- 3 SEP00001 - 83.
- 4 AA. Western Regional Center for Brain and Spine Surgery's medical and billing
- 5 records, Bates-stamped WRCF00001 - 117.
- 6 BB. Anesthesiology Consultants, Inc.'s affidavit of no records, Bates-stamped
- 7 ACI00001.
- 8 CC. Canyon Medical Billing for Centennial Hospital's medical and billing
- 9 records, Bates-stamped CMBL00001 - 02.
- 10 DD. Advanced Orthopedics and Sports Medicine, PC's medical and billing
- 11 records, Bates-stamped AOAS00001 - 34.
- 12 EE. Pueblo Medical Imaging's medical records, Bates-stamped PMIL00001 - 05.
- 13 FF. One 40 Beauty Lounge's Employment Records,
- 14 Bates-stamped OBL00001 - 11.
- 15 GG. GEICO Claims File, Bates-stamped GEICO-00001 - 01135 and GGIC00001
- 16 - 1204; Recorded Statement of Plaintiff, Bates-stamped GEICO-AUDIO-
- 17 00001 and GEICO-AUDIO-00002.
- 18 HH. Vege Nation's Employment Records, Bates-stamped V00001 - 35.
- 19 II. Care Now Urgent Care's medical records, Bates-stamped CUC00001 - 26.
- 20 JJ. Southern Hills Hospital Medical Center's Billing records, Bates-stamped
- 21 SHHM00001 - 09.
- 22 KK. Southern Hills Hospital Medical Center's medical records, Bates-stamped
- 23 SHHM00001 - 175.
- 24 LL. Walmart's medical and billing records, Bates-stamped WSI00001 - 06.
- 25 MM. Jackson Physical Therapy and Sport Medicine's medical and billing records,
- 26 Bates-stamped JPTA00001.
- 27 NN. Spring Valley Hospital Medical Center's medical records, Bates-stamped
- 28 SVHM00001 - 575.

- 1 OO. Southern Nevada Mental Health Services' medical and billing records,  
2 Bates-stamped SNAM00026 - 29.
- 3 PP. Wellhealth Quality Care's medical and billing records, Bates-stamped  
4 WQC00001 - 11.
- 5 QQ. Vege Nation's Employment Records, Bates-stamped V00036.
- 6 RR. Keith M. Lewis, M.D.'s medical records, KMLM00001.
- 7 SS. Southern Nevada Adult Mental Health Services' medical records, Bates-  
8 stamped SNAM00026-30.
- 9 TT. Trails Family Medical's medical records, TFM00001 - 51.
- 10 UU. CD of films from Southern Hills Hospital, SHH-CD-00001.
- 11 VV. GEICO Insurance Company's records, GGIC01205 - 1211.
- 12 XX. Lake Mead Radiologists' medical records, LMR00001.
- 13 YY. Nevada Department of Health and Human Services' records,  
14 NDOH00001 - NDOH00045.
- 15 ZZ. Certificate no records, Healthcare Partners Nevada, HPNL00001 - 02.
- 16 AAA. LMR Upright MRI, affidavit of no records, LUM00001 - LUM00002.
- 17 BBB. Premier Physical Therapy and Sports Performance's medical and billing  
18 records, PPTA00001 - PPTA00120.
- 19 CCC. Southwest Medical / OPTUM Dept. of Radiology's medical records,  
20 SMDO 00001 - SMDO 00003.
- 21 DDD. CD of films, Southwest Medical / OPTUM Dept. of Radiology,  
22 SMDO-CD-00001. The CD is available for inspection.
- 23 EEE. Martin Luther King Family Health Center's medical records and billing,  
24 MLKF00001 - 154.
- 25 FFF. Southwest Medical Associates' medical records and billing, SMA00001 - 64.
- 26
- 27
- 28

1 GGG. CD of Dr. David Oliveri's file, bates stamped DO-CD-00001.

2 HHH. Premier Physical Therapy and Sports Performance,  
3 Affidavit of no films, PPTA 00121.

4 (c) As to the following exhibits, the party against whom the same will be offered  
5 objects to their admission upon the grounds stated:

6 (1) Objections to Plaintiff's exhibits:

7 Any medical records, billings or claims for damages Plaintiff failed to disclose and  
8 produce in the FRCP Rule 26 disclosures, and/or submitted after the expiration of the  
9 discovery deadline; and any initial and rebuttal experts and their expert reports disclosed  
10 after the expert deadlines.

11 Defendant does not stipulate to the reasonableness, necessity, causation and/or  
12 relatedness of the medical records in the Exhibits.

13 (2) Objections to Defendant's exhibits:

14 None

15 (d) Electronic Evidence:

16 No party in this matter anticipates presenting electronic evidence to the jury.

17 (e) Depositions:

18 1. Plaintiff will offer the following depositions: Plaintiff does not intend to read  
19 any depositions at this time, but reserves the right to use depositions due to deponent  
20 unavailability, to refresh recollection and/or to impeach deposed witnesses.

21 2. Defendant will offer the following depositions:

22 Plaintiff.

23 **VIII. WITNESSES FOR TRIAL**

24 The following witnesses may be called by the parties at trial:

25 (a) Plaintiff's Witnesses

26 1. REBECCA LEMPERLE  
27 c/o Paul D. Powell, Esq.  
The Powell Law Firm  
28 6785 W. Russell Road, Suite 210

1 Las Vegas, Nevada 89118

2 REBECCA LEMPERLE is the Plaintiff in this action and is expected to testify as to  
3 her knowledge of the facts and and circumstances surrounding the incident that occurred  
4 on April 30, 2016, her injuries and treatment and other matters pertinent hereto.

5 2. VINCENT TJOTA  
6 c/o Josh Cole Aicklen, Esq.  
7 Lewis Brisbois Bisgaard & Smith, LLP  
8 6385 Rainbow Boulevard, Suite 600  
Las Vegas, Nevada 89118

9 VINCENT TJOTA is the Defendant in this action and is expected to testify  
10 regarding the facts and circumstances surrounding the incident that occurred on April 30,  
11 2016 and other matters pertinent hereto.

12 3. The Person Most Knowledgeable  
13 AVIS RENT A CAR SYSTEMS, LLC  
14 c/o Josh Cole Aicklen, Esq.  
15 Lewis Brisbois Bisgaard & Smith, LLP  
6385 S. Rainbow Boulevard, Suite 600  
Las Vegas, Nevada 89118

16 The Person Most Knowledgeable of AVIS RENT A CAR SYSTEMS, LLC is the  
17 Defendant and is expected to testify regarding the facts and circumstances surrounding  
18 the incident that occurred on April 30, 2016 and other matters pertinent hereto.

19 4. The Person Most Knowledgeable  
20 PV HOLDING CORP.  
21 c/o Josh Cole Aicklen, Esq.  
22 Lewis Brisbois Bisgaard & Smith, LLP  
23 6385 S. Rainbow Boulevard, Suite 600  
Las Vegas, Nevada 89118

24 The Person Most Knowledgeable of PV HOLDING CORP. is the Defendant and is  
25 expected to testify regarding the facts and circumstances surrounding the incident that  
26 occurred on April 30, 2016 and other matters pertinent hereto.

27 5. Janice Siau  
28 1005 Lower Delta  
Singapore



1 Janice Siau, a passenger in Defendant Vincent Tjota's vehicle, is expected to  
2 testify regarding the facts and circumstances surrounding the incident that occurred on  
3 April 30, 2016 and other matters pertinent hereto.  
4

5 6. Officer Almaguer, ID# 13467  
6 c/o Las Vegas Metropolitan Police Department  
7 400 S. Martin Luther King Boulevard  
8 Las Vegas, Nevada 89106

9 Officer Almaguer is expected to testify regarding the facts and circumstances  
10 surrounding the incident that occurred on April 30, 2016 and other matters pertinent  
11 hereto.

12 7. Joseph Camel  
13 6711 West Tropicana Avenue, Apartment 359  
14 Las Vegas, Nevada 89103  
15 (702) 372-0253

16 Mr. Camel is Plaintiff's neighbor and is expected to testify as to his knowledge of  
17 the facts and circumstances surrounding the incident that occurred on April 30, 2016, how  
18 the crash has impacted Plaintiff and any other matters pertinent thereto.

19 8. Liz Torres  
20 2312 North Green Valley Parkway, Apartment 212  
21 Henderson, Nevada 89014  
22 (714) 321-4234

23 Ms. Torres is Plaintiff's church friend and is expected to testify as to her knowledge  
24 of the facts and circumstances surrounding the incident that occurred on April 30, 2016,  
25 how the crash has impacted Plaintiff and any other matters pertinent thereto.

26 9. Maliena Stasher  
27 1393 Whithorn Court  
28 Riverside, California 92507  
(951) 880-4750

Ms. Stasher is Plaintiff's church friend and is expected to testify as to her  
knowledge of the facts and circumstances surrounding the incident that occurred on April

30, 2016, how the crash has impacted Plaintiff and any other matters pertinent thereto.

10. Person Most Knowledgeable  
Viva Las Vegas DBA VegeNation  
616 East Carson Avenue, Suite 120  
Las Vegas, Nevada 89101

Person Most Knowledgeable at Viva Las Vegas is expected to testify as to his or her knowledge of Plaintiff's Employment, any lost wages Plaintiff has incurred as a result of the accident and any other matters pertinent hereto.

11. Kristine Lukens, DC  
Marilyn Adair, DC  
Michael DiGregorio, MD  
Todd Gardner, DC  
Person Most Knowledgeable  
Custodian of Records  
Align Med  
8680 W. Warm Springs Road, Suite 155  
Las Vegas, Nevada 89148

12. Keith Lewis, MD  
Person Most Knowledgeable  
Custodian of Records  
Align Med MRI Center  
2208 S. Nellis Boulevard, Suite 1A  
Las Vegas, Nevada 89104

13. Jorg Rosler, MD  
Person Most Knowledgeable  
Custodian of Records  
Interventional Pain and Spine Institute  
851 S. Rampart Boulevard, Suite 100  
Las Vegas, Nevada 89145

14. Jorg Rosler, MD  
Person Most Knowledgeable  
Custodian of Records  
Surgical Arts Center  
9499 W. Charleston Boulevard, Suite 250  
Las Vegas, Nevada 89117

15. Person Most Knowledgeable  
Custodian of Records  
Anesthesiology Consultants  
PO Box 50209  
Henderson, Nevada 89016



- 1           16.    Jason Garber, MD  
2                Person Most Knowledgeable  
3                Custodian of Records  
4                Western Regional Center for Brain and Spine Surgery  
5                2471 Professional Court  
6                Las Vegas, Nevada 89128
- 7           17.    Louis Mortillaro, Ph.D.  
8                Person Most Knowledgeable  
9                Custodian of Records  
10              Louis Mortillaro, Ph.D., Ltd.  
11              501 S. Rancho Drive, Suite F-37  
12              Las Vegas, Nevada 89106
- 13          18.    Deirdre O'Reilly, MD  
14              Salah Baydoun, MD  
15              Daniel Baldwin, MD  
16              Kathleen Cornia, MD  
17              Person Most Knowledgeable  
18              Custodian of Records  
19              Spring Valley Hospital Medical Center  
20              5400 S. Rainbow Boulevard  
21              Las Vegas, Nevada 89118
- 22          19.    Person Most Knowledgeable  
23              Custodian of Records  
24              Shadow Emergency Physicians, PLLC  
25              PO Box 13917  
26              Philadelphia, PA 19101-3917
- 27          20.    Person Most Knowledgeable  
28              Custodian of Records  
                Desert Radiologists  
                PO Box 3057  
                Indianapolis, Indiana 46206-3057
21.    Jason Garber, MD  
                Ahmed Mohamed, MD  
                Person Most Knowledgeable  
                Custodian of Records  
                Centennial Hills Hospital  
                6900 N. Durango Drive  
                Las Vegas, Nevada 89149
22.    Person Most Knowledgeable  
                Custodian of Records  
                Monitoring Associates  
                PO Box 459  
                Princeton, Louisiana 71067

- 1 23. Person Most Knowledgeable  
2 Custodian of Records  
3 Neuromonitoring Associates  
4 PO Box 459  
5 Princeton, Louisiana 71067
- 6 24. Person Most Knowledgeable  
7 Custodian of Records  
8 Orthassist, LLC  
9 28085 N. Ashley Circle, Suite 101  
10 Libertyville, Illinois 60048-9758
- 11 25. Jeremy Dapprich, AMR  
12 Megan Leclair, AMR  
13 Person Most Knowledgeable  
14 Custodian of Records  
15 American Medical Response  
16 File 56141  
17 Los Angeles, California 90074-0001
- 18 26. Steven Sogge, MD  
19 Eric Biesbroeck, MD  
20 Person Most Knowledgeable  
21 Custodian of Records  
22 Pueblo Medical Imaging  
23 5495 S. Rainbow Boulevard, Suite 203  
24 Las Vegas, Nevada 89118
- 25 27. Person Most Knowledgeable  
26 Custodian of Records  
27 Wellhealth Quality Care  
28 10100 W. Charleston Boulevard, Suite 210  
Las Vegas, Nevada 89135
- 29 28. Casey Bartolo, PT  
30 Brandon Jackson, PT  
31 Michael Farren, PTA  
32 Danielle Riske, PTA  
33 Bart Taylor, DPT  
34 Tammi Full, PTA  
35 Person Most Knowledgeable  
36 Custodian of Records  
37 Jackson Physical Therapy  
38 4765 S. Durango Drive, Suite 106  
Las Vegas, Nevada 89147
- 39 29. Nick Liu, MD  
40 Megan Bichsel, PA-C  
41 Person Most Knowledgeable

- 1 Custodian of Records
- 2 Advanced Orthopedics & Sports Medicine
- 3 8420 W. Warm Springs Road, Suite 100
- 4 Las Vegas, Nevada 89113
- 5
- 6 30. Person Most Knowledgeable
- 7 Custodian of Records
- 8 Select Physical Therapy
- 9 400 Technology Drive, Suite 240
- 10 Canonsburg, PA 15317
- 11
- 12 31. Person Most Knowledgeable
- 13 Custodian of Records
- 14 Southern Nevada Adult Mental Health Services
- 15 6161 W. Charleston Boulevard
- 16 Las Vegas, Nevada 89146
- 17
- 18 32. David Oliveri, MD
- 19 851 S. Rampart Boulevard, Suite 115
- 20 Las Vegas, Nevada 89145
- 21
- 22 33. Stan Smith, Ph.D.
- 23 Smith Economics Group, Ltd.
- 24 1165 N. Clark Street, Suite 600
- 25 Chicago, Illinois 60610
- 26
- 27 34. Greta Gonzalez-Rios, MD
- 28 Person Most Knowledgeable
- Custodian of Records
- Nevada Health Centers
- Martin Luther King Health Center
- 1799 Mount Mariah Drive
- Las Vegas, Nevada 89106
- 
35. Richard Penfil, MD
- Person Most Knowledgeable
- Custodian of Records
- Southwest Medical Associates
- 2300 West Charleston Boulevard
- Las Vegas, Nevada 89106
- 
36. Jared Morasco, DPT
- Person Most Knowledgeable
- Custodian of Records
- Premier Physical Therapy & Sports Performance
- 5546 South Fort Apache Road, Suite 100B
- Las Vegas, Nevada 89148
- 
- The above-listed witnesses (11-36) are expected to testify as to the cause, nature,

1 and extent of Plaintiff's injuries, the reasonableness and necessity of medical treatment,  
2 the reasonableness of the cost of Plaintiff's treatment, the likelihood for future treatment,  
3 if any, and cost of said treatment, and any permanent disability Plaintiff is likely to suffer  
4 as a result of her injuries. These witnesses will also testify regarding the nature and  
5 extent of Plaintiff's permanent injuries and the restrictions these permanent injuries place  
6 on Plaintiff's daily lives.

7  
8 Plaintiff hereby designates her treating physicians in this case as expert witnesses  
9 insofar as they will provide opinion testimony regarding the cause, nature and extent of  
10 Plaintiff's injuries, the reasonableness and necessity of their medical treatment, the  
11 reasonableness and customary nature of the cost of Plaintiff's treatment, the likelihood  
12 Plaintiff will require future treatment, the cost of any future treatment, and the permanent  
13 disability Plaintiff has suffered and will suffer in the future as a result of the injuries  
14 sustained in the subject-incident.

15  
16 Plaintiff reserves the right to name additional witnesses should they become  
17 known. Plaintiff further reserves the right to utilize any witnesses named by Defendants.

18 **(b) Defendant's Witnesses**

- 19  
20 1. Rebecca Lemperle, Plaintiff  
21 c/o Paul D. Powell, Esq.  
22 THE POWELL LAW FIRM  
23 6785 W. Russell Road, Suite 210  
24 Las Vegas, NV 89118  
25 (702) 728-5500

26  
27 Plaintiff is expected to testify regarding her knowledge of the facts and  
28 circumstances surrounding the accident on April 30, 2016, the alleged injuries, the  
medical treatment and records.

1           2.     Person Most Knowledgeable  
2                 Budget Rent A Car System, Inc.  
3                 Erroneously sued as  
4                 Avis Rent A Car Systems, LLC  
5                 c/o Josh Cole Aicklen, Esq.  
6                 LEWIS BRISBOIS BISGAARD & SMITH LLP  
7                 6385 S. Rainbow Boulevard, Suite 600  
8                 Las Vegas, NV 89118  
9                 (702) 893-3383

10           The witness will testify regarding knowledge of the facts and circumstances  
11           surrounding the accident and any records.

12           3.     Person Most Knowledgeable  
13                 Custodian of Records  
14                 Budget Rent A Car System, Inc.  
15                 Erroneously sued as  
16                 Avis Rent A Car Systems, LLC  
17                 c/o Josh Cole Aicklen, Esq.  
18                 LEWIS BRISBOIS BISGAARD & SMITH LLP  
19                 6385 S. Rainbow Boulevard, Suite 600  
20                 Las Vegas, NV 89118  
21                 (702) 893-3383

22           The witness will testify regarding knowledge of the facts and circumstances  
23           surrounding the accident and any records.

24           4.     Person Most Knowledgeable  
25                 PV Holding Corp.  
26                 c/o Josh Cole Aicklen, Esq.  
27                 LEWIS BRISBOIS BISGAARD & SMITH LLP  
28                 6385 S. Rainbow Boulevard, Suite 600  
29                 Las Vegas, NV 89118  
30                 (702) 893-3383

31           The witness will testify regarding knowledge of the facts and circumstances  
32           surrounding the accident and any records.

33           5.     Person Most Knowledgeable  
34                 Custodian of Records  
35                 PV Holding Corp.  
36                 c/o Josh Cole Aicklen, Esq.  
37                 LEWIS BRISBOIS BISGAARD & SMITH LLP  
38                 6385 S. Rainbow Boulevard, Suite 600  
39                 Las Vegas, NV 89118  
40                 (702) 893-3383

41           The witness will testify regarding knowledge of the facts and circumstances  
42           surrounding the accident and any records.

1           6.     Vincent Tjota  
2                 c/o Josh Cole Aicklen, Esq.  
3                 LEWIS BRISBOIS BISGAARD & SMITH LLP  
4                 6385 S. Rainbow Boulevard, Suite 600  
5                 Las Vegas, NV 89118  
6                 (702) 893-3383

7                 The witness will testify regarding knowledge of the facts and circumstances  
8                 surrounding the accident and any records.

9           7.     Janice Siau  
10                c/o Josh Cole Aicklen, Esq.  
11                LEWIS BRISBOIS BISGAARD & SMITH LLP  
12                6385 S. Rainbow Boulevard, Suite 600  
13                Las Vegas, NV 89118  
14                (702) 893-3383

15               The witness will testify regarding knowledge of the facts and circumstances  
16               surrounding the accident and any records.

17           8.     Custodian of Records/Person Most Knowledgeable  
18                Officer Almagauer, #13467  
19                Las Vegas Metropolitan Police Dept. (LVMPD)  
20                400 South Martin Luther King Blvd.  
21                Las Vegas, NV 89106  
22                (702) 828-3111

23               The witness will testify regarding knowledge of the facts and circumstances  
24               surrounding the accident, the traffic accident report and records.

25           9.     Custodian of Records/Person Most Knowledgeable  
26                Deidre O'Reilly, M.D.  
27                Michael W. Schunk, M.D.  
28                Howard Tischler, M.D.  
                Oscar Rago, M.D.  
                Kathleen Cornia, M.D.  
                Spring Valley Hospital Medical Center  
                5400 S. Rainbow Blvd.  
                Las Vegas, NV 89118  
                (866) 823-4250

                The witnesses will testify regarding their knowledge of the facts and circumstances  
surrounding the subject accident on 4/30/16, Plaintiff's medical records and treatment for  
the subject accident, and medical records and treatment after the accident on 8/24/17.

1           10.   Custodian of Records/Person Most Knowledgeable  
2               Megan LeClair, Paramedic  
3               Jeremy Dapprich, EMT  
4               American Medical Response (AMR)  
5               7201 W. Post Rd,  
6               Las Vegas, NV 89113  
7               (702) 384-3400

8           The witness will testify regarding knowledge of the facts and circumstances  
9           surrounding the accident, Plaintiff's medical records and treatment.

10           11.   Custodian of Records/Person Most Knowledgeable  
11               Kristin Lukens, D.C.  
12               Marilyn Adair, D.C.  
13               Michael Digregorio, M.D.  
14               Todd Gardner, D.C.  
15               Ryan N. Kissling, D.C.  
16               Align Med  
17               8680 W. Warm Springs Road, Suite 155  
18               Las Vegas, NV 89148  
19               (702) 538-39100

20           The witness will testify regarding knowledge of the facts and circumstances  
21           surrounding the accident, Plaintiff's medical records and treatment.

22           12.   Custodian of Records/Person Most Knowledgeable  
23               Keith M. Lewis, M.D.  
24               Align Med MRI Center  
25               2208 S. Nellis Blvd., Suite 1A  
26               Las Vegas, NV 89104  
27               (702) 431-7696

28           The witness will testify regarding knowledge of the facts and circumstances  
surrounding the accident, Plaintiff's medical records and treatment.

          13.   Custodian of Records/Person Most Knowledgeable  
              Hans Jorg Rosler, M.D.  
              Andrew M. Hall, M.D.  
              Interventional Pain & Spine Institute  
              851 South Rampart Blvd., Suite 100  
              Las Vegas, NV 89145  
              (702) 357-8004

          The witness will testify regarding knowledge of the facts and circumstances  
surrounding the accident, Plaintiff's medical records and treatment.



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14. Custodian of Records/Person Most Knowledgeable  
Hans Jorg Rosler, M.D.  
Surgical Arts Center  
9499 W. Charleston Blvd., Suite 250  
Las Vegas, NV 89117  
(702) 933-3600

The witness will testify regarding knowledge of the facts and circumstances  
surrounding the accident, Plaintiff's medical records and treatment.

15. Custodian of Records/Person Most Knowledgeable  
Anesthesiology Consultants  
P.O. Box 50209  
Henderson, NV 89016  
(702) 878-0070

The witness will testify regarding knowledge of the facts and circumstances  
surrounding the accident, Plaintiff's medical records and treatment.

16. Custodian of Records/Person Most Knowledgeable  
Jason E. Garber, M.D.  
Las Vegas Neurosurgical Institute Center for Brain and Spine Surgery  
Western Regional Center for Brain and Spine Surgery  
2471 Professional Court  
Las Vegas, NV 89128  
(702) 835-0088

The witness will testify regarding knowledge of the facts and circumstances  
surrounding the accident, Plaintiff's medical records and treatment.

17. Custodian of Records/Person Most Knowledgeable  
Louis Mortillaro, Ph.D.  
Kristi A. Walter, Psy.D.  
Louis Mortillaro, Ph.D., Ltd.  
501 South Rancho Drive, Suite F-37  
Las Vegas, NV 89106  
(702) 388-9403

The witness will testify regarding knowledge of the facts and circumstances  
surrounding the accident, Plaintiff's medical records and treatment.

18. Custodian of Records/Person Most Knowledgeable  
Shadow Emergency Physicians, PLLC  
P.O. Box 13917  
Philadelphia, PA 19101-3917  
(702) 355-2470



1 The witness will testify regarding knowledge of the facts and circumstances  
2 surrounding the accident, Plaintiff's medical records and treatment.

3 19. Custodian of Records/Person Most Knowledgeable  
4 Desert Radiologists  
5 P.O. Box 3057  
6 Indianapolis, IN 46206-3057  
7 (702) 759-8600

8 The witness will testify regarding knowledge of the facts and circumstances  
9 surrounding the accident, Plaintiff's medical records and treatment.

10 20. Custodian of Records/Person Most Knowledgeable  
11 Jason Garber, M.D.  
12 Ahmed Mohammed, M.D.  
13 Centennial Hills Hospital  
14 6900 N. Durango Drive  
15 Las Vegas, NV 89149  
16 (702) 835-9700

17 The witness will testify regarding knowledge of the facts and circumstances  
18 surrounding the accident, Plaintiff's medical records and treatment.

19 21. Custodian of Records/Person Most Knowledgeable  
20 Monitoring Associates, LLC  
21 7455 West Charleston, #302  
22 Las Vegas, NV 89128  
23 (855) 864-4322

24 The witness will testify regarding knowledge of the facts and circumstances  
25 surrounding the accident, Plaintiff's medical records and treatment.

26 22. Custodian of Records/Person Most Knowledgeable  
27 Neuromonitoring Associates  
28 9811 W. Charleston Blvd., Suite 2-641  
Las Vegas, NV 89117  
(801) 808-9538

The witness will testify regarding knowledge of the facts and circumstances  
surrounding the accident, Plaintiff's medical records and treatment.

23 23. Custodian of Records/Person Most Knowledgeable  
24 Orthassist, LLC  
25 28085 N. Ashley Circle, Suite 101  
26 Libertyville, IL 60078  
27 (800) 515 9510

1 The witness will testify regarding knowledge of the facts and circumstances  
2 surrounding the accident, Plaintiff's medical records and treatment.

3 24. Custodian of Records/Person Most Knowledgeable  
4 Megan LeClair, Paramedic  
5 Jeremy Dapprich, EMT  
6 American Medical Response (AMR)  
7 7201 W. Post Road  
8 Las Vegas, NV 89113  
9 (702) 384-3400

10 The witness will testify regarding knowledge of the facts and circumstances  
11 surrounding the accident, Plaintiff's medical records and treatment.

12 25. Custodian of Records/Person Most Knowledgeable  
13 Steven Sogge, M.D.  
14 Eric Biesbroeck, M.D.  
15 Pueblo Medical Imaging  
16 5495 S. Rainbow Blvd., Suite 203  
17 Las Vegas, NV 89118  
18 (702) 228-0031

19 The witness will testify regarding knowledge of the facts and circumstances  
20 surrounding the accident, Plaintiff's medical records and treatment.

21 26. Custodian of Records/Person Most Knowledgeable  
22 Wellhealth Quality Care  
23 10100 W. Charleston Blvd., Suite 210  
24 Las Vegas, NV 89135  
25 (702) 304-5780

26 The witness will testify regarding knowledge of the facts and circumstances  
27 surrounding the accident, Plaintiff's medical records and treatment.

28 27. Custodian of Records/Person Most Knowledgeable  
Casey Bartolo, P.T.  
Michael Farren, P.T.  
Bart Taylor, P.T.  
Tammi Full, P.T.  
Jackson Physical Therapy  
4765 S. Durango Drive, Suite 106  
Las Vegas, NV 89147  
(702) 898-7633

The witness will testify regarding knowledge of the facts and circumstances  
surrounding the accident, Plaintiff's medical records and treatment.

1           28.   Custodian of Records/Person Most Knowledgeable  
2               Nick Liu, M.D.  
3               Megan Bischel, PC-C  
4               Advanced Orthopedics & Sports Medicine  
5               8420 W. Warm Springs Road, Suite 100  
6               Las Vegas, NV 89113  
7               (702) 740-5327

8           The witness will testify regarding knowledge of the facts and circumstances  
9  
10          surrounding the accident, Plaintiff's medical records and treatment.

11           29.   Custodian of Records/Person Most Knowledgeable  
12               Javier J. Ibarra, PT  
13               Select Physical Therapy  
14               2650 N. Tenaya Way, #180  
15               Las Vegas, NV 89128  
16               (702) 240-2952

17          The witness will testify regarding knowledge of the facts and circumstances  
18  
19          surrounding the accident, Plaintiff's medical records and treatment.

20           30.   Custodian of Records/Person Most Knowledgeable  
21               Adelwisa V. Lizada, M.D.  
22               Roger Durfey, MHC II  
23               Cheryl Philpotts, PN II  
24               Sandra Robertson, ON II  
25               Kelly Gomez, PN II  
26               Rosanna Octaviano, APRN  
27               John Wrpay, PN II  
28               Myra Schultz,  
              Southern Nevada Adult Mental Health Services  
              6161 W. Charleston Blvd.  
              Las Vegas, NV 89146  
              (702) 486-6045

          The witness will testify regarding knowledge of the facts and circumstances  
surrounding the accident, Plaintiff's medical records and treatment.

          31.   Custodian of Records/Person Most Knowledgeable  
Nevada Medicaid  
1100 East William Street, Suite 102  
Carson City, NV 89701  
(877) 638-3472

          The witness will testify regarding knowledge of the facts and circumstances  
surrounding the accident, Plaintiff's medical records and treatment.

1           32.   Custodian of Records/Person Most Knowledgeable  
2               Bikas Sharma, M.D.  
3               Trails Family Medical  
4               6787 W. Tropicana Avenue  
5               Las Vegas, NV 89103  
6               (702) 754-1744

7           The witness will testify regarding knowledge of the facts and circumstances  
8           surrounding the accident, Plaintiff's medical records and treatment.

9           33.   Custodian of Records/Person Most Knowledgeable  
10            Care Now Urgent Care  
11            4075 South Durango Drive, Suite 108  
12            Las Vegas, NV 89147  
13            (702) 701-9509

14          The witness will testify regarding knowledge of the facts and circumstances  
15          surrounding the accident, Plaintiff's medical records and treatment.

16          34.   Custodian of Records/Person Most Knowledgeable  
17               Amanda Meyer  
18               Donald Lemperle  
19               Viva Las Vegas, LLC dba  
20               Vege Nation  
21               616 East Carson Avenue, Suite 120  
22               Las Vegas, NV 89101  
23               (702) 366-8515

24          The witness will testify regarding knowledge of the facts and circumstances  
25          surrounding the accident, Plaintiff's employment and records.

26          35.   Custodian of Records/Person Most Knowledgeable  
27               Kathy Mone  
28               One 40 Beauty Lounge  
29               1434 E. Lake Mead Pkwy., Suite 140  
30               Henderson, NV 89015  
31               (702) 373-3876

32          The witness will testify regarding knowledge of the facts and circumstances  
33          surrounding the accident, Plaintiff's employment and records.

34          36.   Custodian of Records/Person Most Knowledgeable  
35               Hugh Bassewitz, M.D.  
36               Desert Orthopaedic Center (DOC)  
37               2800 E. Desert Inn Road, #100  
38               Las Vegas, NV 89121  
39               (702) 731-4088

40          The defense expert witness will testify regarding knowledge of the facts and

1 circumstances surrounding the accident, the FRCP Rule 35 medical examination, the  
2 medical records review, Plaintiff's medical records and treatment, and expert reports.

3 37. Custodian of Records/Person Most Knowledgeable  
4 Sarah Martinez  
5 Eric A. Daly, Esq.  
6 GEICO STAFF COUNSEL  
7 8345 W. Sunset Road, Suite 250  
8 Las Vegas, NV 89113  
9 (702) 233-9303  
10 (520) 546-2520

11 The witness will testify regarding knowledge of the facts and circumstances  
12 surrounding the accident, GEICO's claims files, the records for the UM/UIM claim, and  
13 any records for the subsequent motor vehicle accident on 08/24/2017.

14 38. Custodian of Records/Person Most Knowledgeable  
15 Michael D. Digregorio, M.D.  
16 Action Medical Center  
17 6655 West Sahara Avenue  
18 Las Vegas, NV 89146  
19 (702) 644-6008

20 The witness will testify regarding knowledge of the facts and circumstances  
21 surrounding the accident, Plaintiff's medical records and treatment.

22 39. Custodian of Records/Person Most Knowledgeable  
23 Southern Hills Hospital  
24 9300 W. Sunset Road  
25 Las Vegas, NV 89148  
26 (702) 916-9000

27 The witness will testify regarding knowledge of the facts and circumstances  
28 surrounding the accident, Plaintiff's medical records and treatment.

40. Custodian of Records/Person Most Knowledgeable  
Keith M. Lewis, M.D.  
Lake Mead Radiologists  
2559 Wigwam Parkway  
Henderson, NV 89074  
(702) 982-3659

The witness will testify regarding knowledge of the facts and circumstances  
surrounding the accident, Plaintiff's medical records and treatment.

1           41.   Custodian of Records/Person Most Knowledgeable  
2               Walmart Stores, Inc.  
3               702 SW 8th Street,  
              Bentonville, AR 72716  
              (800) 925-6278

4           The witness will testify regarding knowledge of the facts and circumstances  
5 surrounding the accident, Plaintiff's medical records and treatment.

6           42.   Kevin B. Kirkendall, MBA, CPA, CFE  
7               Kirkendall Consulting Group, L.L.C.  
8               1522 West Warm Springs  
              Henderson, Nevada 89014  
              (702) 313-1617

9           The defense expert witness will testify regarding knowledge of the facts and  
10 circumstances surrounding the accident, the records review, Plaintiff's claims for lost  
11 earnings, the Plaintiff's expert reports and his expert reports.  
12

13           43.   Peter L. Weidenfeld, M.D.  
14               2953 Kedleston Street  
15               Las Vegas, Nevada 89135  
              (702) 339-0581

16           The defense expert witness will testify regarding knowledge of the facts and  
17 circumstances surrounding the accident, the Independent Imaging Review and medical  
18 records, his expert reports and the Plaintiff's expert reports.

19           44.   Custodian of Records/Person Most Knowledgeable  
20               Ertha A. Nanton, MD  
21               R. Webster, M.D.  
22               Martin Luther King Health Center  
              Nevada Health Centers  
              1799 Mt. Mariah Drive  
              Las Vegas, NV 89106  
              (800) 787-2568

23           The witness will testify regarding knowledge of the facts and circumstances  
24 surrounding the accident, Plaintiff's medical records and treatment.  
25  
26  
27  
28



1           45.    Custodian of Records/Person Most Knowledgeable  
2                Greta Gonzales-Rios, M.D.  
3                Richard Penfil, M.D.  
4                Medicaid HPN  
5                Southwest Medical Associates  
6                2300 West Charleston  
7                Las Vegas, NV 89102  
8                (702) 877-8600

9           The witness will testify regarding knowledge of the facts and circumstances  
10           surrounding the accident, Plaintiff's medical records and treatment.

11           46.    Custodian of Records/Person Most Knowledgeable  
12                Jared Morasco, DPT  
13                Premier Physical Therapy & Sports Performance  
14                5546 S. Forth Apache, Suite 100B  
15                (702) 798-4778

16           The witness will testify regarding knowledge of the facts and circumstances  
17           surrounding the accident, Plaintiff's medical records and treatment.

18           47.    Custodian of Records/Person Most Knowledgeable  
19                Sandra L. Abdullah, LCSW  
20                Alison Ledworowski, LCSW  
21                Nevada Health Centers  
22                Cambridge Family Health Center  
23                3900 Cambridge Street, Suite 102  
24                Las Vegas, NV 89119  
25                (800) 787-2568

26           The witness will testify regarding knowledge of the facts and circumstances  
27           surrounding the accident, Plaintiff's medical records and treatment.

28           The witness will testify regarding knowledge of the facts and circumstances  
surrounding the subject event, Plaintiff's medical records and treatment.

Defendant reserves the right to call at trial any of the witnesses identified in  
Plaintiff's list of witnesses and reserve the right to call any person not named herein for  
rebuttal/impeachment purposes. Defendant reserves the right to call any Custodian of  
Records as may be necessary to testify as to the authenticity of the medical and billing  
records associated with Plaintiff's care and treatment.

1 IX. PROPOSED TRIAL DATES

2 June 2, 2020; June 9, 2020; June 16, 2020.

3 X. PROPOSED TRIAL DURATION

4 It is estimated that the trial will take a total of 4-5 days.

5  
6 Approved as to form and content:

Respectfully submitted,

7 DATED: October 10, 2019.

DATED: October 10, 2019.

8 THE POWELL LAW FIRM

LEWIS BRISBOIS BISGAARD & SMITH  
9 LLP

10 By: /s/ Mike Kristof

By: /s/ Josh Cole Aicklen

11 PAUL D. POWELL  
12 Nevada Bar No. 007488  
13 MICHAEL A. KRISTOF  
14 Nevada Bar No. 007780  
15 8918 Spanish Ridge Avenue, #100  
16 Las Vegas, NV 89148  
17 Attorneys for Plaintiff  
18 REBECCA LEMPERLE

JOSH COLE AICKLEN  
Nevada Bar No. 007254  
STEPHEN L. TITZER  
Nevada Bar No. 008289  
6385 South Rainbow Blvd., Suite 600  
Las Vegas, Nevada 89118  
Attorneys for Defendant  
VINCENT TJOTA

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1 XI. ACTION BY THE COURT

2 (a) This case is set down for <sup>jury</sup> court trial on the stacked calendar on  
3 June 15, 2020 at 9:00 a.m. . Calendar call shall be held on June 10, 2020 at 1:30 p.m.

4 (b) An original and two copies of each trial brief shall be submitted to the clerk  
5 ~~on or before~~ at Calendar Call \_\_\_\_\_.

6 (c) Jury trials:

7 (1) An original and two (2) copies of all instructions requested by either  
8 party shall be submitted to the clerk ~~for filing on or before~~ at Calendar Call \_\_\_\_\_.

9 (2) An original and two (2) copies of all suggested questions of the parties to  
10 asked of the jury panel by the court on *voir dire* shall be submitted to the clerk ~~for filing on~~  
11 ~~or before~~ at Calendar Call \_\_\_\_\_.

12 (d) Court Trials:

13 Not applicable.

14 The foregoing pretrial order has been approved by the parties to this action as  
15 evidenced by the signatures of their counsel hereon, and the order is hereby entered and  
16 will govern the trial of this case. This order shall not be amended except by order of the  
17 court pursuant to agreement of the parties or to prevent manifest injustice.

18 "IT IS SO ORDERED:"

19  
20 DATED: October 16, 2019 \_\_\_\_\_.

21  
22   
23 \_\_\_\_\_  
24 UNITED STATES DISTRICT JUDGE  
25  
26  
27  
28

# EXHIBIT B

**Letter from Defendant Vincent Tjota to Defense  
Counsel Requesting Trial Continuance, dated  
January 8, 2020, Bates Stamped DEF000437**

# EXHIBIT B



Case No.: 2:18-cv-00202-JCM-DJA

Lemperle v. Tjota

My name is Vincent Tjota, I am a resident of Singapore and a named defendant in the subject litigation. I request for the trial to be continued in December 2020, as I need to take 2 weeks leave off from work to attend the trial in the United States, including the time required to travel to the United States from Singapore.

Respectfully,

A handwritten signature in black ink, appearing to read 'V. Tjota', is written over a faint, light-colored circular stamp or watermark.

Vincent Tjota

